

US ARMY CORPS OF ENGINEERS, BALTIMORE DISTRICT
ENGINEERING DIVISION

HTRW BRANCH

P. O Box 1715

Baltimore, Maryland 21201-1715

Fax Cover Sheet

DATE: October 14, 1998 **TIME:** 7:03 AM
TO: RAY PILON **PHONE:**
 FAX: 716-879-4195
FROM: Clint Anuszewski **PHONE:** 410-962-2207
 ACTG CHIEF, HTRW BR **FAX:** 41 0-962-6732
RE: DEC LETTER RE: LOOW
CC:

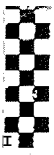
Number of pages including cover sheet: 5

Message

RAY:

THE ATTACHED DEC LETTER WAS FORMALLY RECEIVED WEDNESDAY, 13 OCTOBER 1998. COL BERWICK HAS ASKER THAT I RESPOND TO THE LETTER, I WILL PREPARE A DRAFT RESPONSE AND FORWARD TO YOU FOR COMMENT, I WOULD APPRECIATE YOUR TIMELY INPUT ONCE I NAVE COMPLETED THE DRAFT. THANKS IN ADVANCE.

CLINT



John P. Cahill
Commissioner

New York State Department of Environmental Conservation

Division of Solid and Hazardous Materials

Bureau of Hazardous Waste Facilities, Room 460

50 Wolf Road, Albany, New York 12233-7252

Phone: (518) 457-9253 FAX: (518) 457-9240

[REDACTED]

to: Col. Bruce Berwick
fax #: (410) 962-7516
re: Lake Ontario Ordnance Works Project Management
date: October 9, 1998
pages: 3, including this cover sheet.

Handwritten:
CMB 9/21/98
ACTION - EN - 10/13/98
INFO - DD - P
DD - M

This fax is being sent in response to the request by the USACE-Buffalo District to remove Ms. Justina Wesley, of your district, as Project manager for the Lake Ontario Ordnance Works project, conducted as part of the Formerly Utilized Defense Sites (FUDS) program,

From the desk of...

Kent D. Johnson
Engineering Geologist II
NYSDEC
50 Wolf Road
Albany, New York 12233-7251

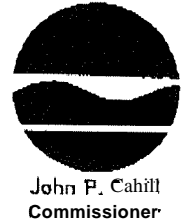
(510) 457-9255
Fax: (518) 457-9240

FILE COPY

New York State Department of Environmental Conservation

Division of Solid and Hazardous Materials

Bureau of Hazardous Waste Facilities, Room 460
50 Wolf Road, Albany, New York 12233-7252
Phone: (518) 457-9236 FAX: (518) 457-9240



October 7, 1998

Mr. Clint Anuszewski
Acting Chief
HTRW Branch
U.S. Army Corps of Engineers
Baltimore District
P.O. Box 1715
Baltimore, MD 21203-1715

Dear Mr. Anuszewski:

Re: Lake Ontario Ordnance Works • Project Management

I was informed this morning of a request from the USACE • Buffalo District to replace Ms. Justina Wesley, of your office, as project manager for the Lake Ontario Ordnance Works site. I would like to express my opinion as the project manager for the New York State Department of Environmental Conservation.

During my association with this project since 1987, I have worked with several project managers and three separate district of the USACE. In addition, I work on other Department of Defense facilities (Griffiss Air Force Base, Fort Drum) and by far, Ms. Wesley is the most technically proficient, knowledgeable and easiest to work with. Her dedication and determination has on several occasions saved this project from the loss of funding and unnecessary delays. Although the positions of the Department and the USACE have often been in disagreement, her up-front and honest approach has led to successful negotiations and the clearing of many technical and administrative hurdles. The removal of Ms. Wesley would result in a very significant setback to progress on this program and damage the working relationship between the USACE and the Department that have been developed during Ms. Wesley tenure.

Since a portion of the project responsibilities have been shifted to the Buffalo District, many unnecessary problems have arisen. Funding for the current asbestos abatement would have been lost if not for the efforts of Ms. Wesley. The Remedial

Mr. Clint Anuszewski

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Investigation **field** activities which occurred over the **past summer** would have been delayed significantly if **not** for Ms. Wesley's **dedication** to resolve the **substantial** Department **comments** (over 100) on the work plan and the use of **Baltimore District** resources to perform **duties** (right-of-entries) which are the responsibility of the **Buffalo District**. The commitment of the **Buffalo District** to this project is **minimal** at best. This opinion is supported by the lack of attendance of Mr. Pilon at several **important meetings** (**RI workplan** negotiations, Pre-construction conference for Phase 1 **IRA**) and the sporadic oversight on contractors performing work under contract to the **Buffalo District**.

In closing, I would like to say that working with the bureaucracy and procedures of the U.S. **Army Corps of Engineers** is difficult at best. The loss of **Ms. Wesley's** management abilities can only have negative effects.

If you would like to discuss the topic of this letter or the **Department's** position on the **handling of the** remedial **programs** for the Lake Ontario Ordnance Works, please contact me at (5 18) 457-9253.

Sincerely,



Kent D. Johnson
Engineering Geologist II
Bureau of Hazardous Waste Facilities
Division of Solid and Hazardous **Materials**

cc: Brooks, USACE-**Buffalo District**
S. Lal, USACE-**Baltimore District**
J. Wesley, USACE-**Baltimore District**
D. Brouwer, USACE-**New York District**
J. Syms, Somerset Group
R. Park-Zayatz, CWM
T. Sharp, Town of Lewiston
T. Beachy, Town of Porter
J. Strickland, DEC Region 9
C. Stein, USEPA Region II

FAX#410 962 2318

October 9, 1998

**U.S. Army Corp. of Engineers
Baltimore District.**

Att'n: Clint Anuszewski

I have been informed that Ray Pilon (Buffalo District) has requested that Justina Wesley be replaced as manager of L.O.O.W. project. I cannot believe that you would even consider such a move!

Do you have the slightest idea of what a disaster the personnel from Buffalo District is making of the Asbestos Remedation Project on the Somerset property? Specifications are ignored, even Ray Pilon's 'PREFERRED CONTRACTORS' are not following their own work plan! Damage done throughout the site has resulted in instructing my Attorneys to proceed immediately with legal action, which will result in negative publicity for the C.O.E.

Furthermore to even think about replacing Justine, the only C.O.D. person who I have met that understands the site, who cares about not only the project but also the community, creates an extremely bad opinion of your Agency and its obvious politics.

Your decision in this matter has only served to cement my legal position.

John Syms

c: N.Y.S.D.E.C.

Dept. of Defense (Asst. Sec. Environment, D.E.R.P. Program)

Inspector General

Mr. Gembicki

Attorney's Office

Col. Bruce Berwick